

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

I. SHAH, A. SHAH and family,

Plaintiffs,

v.

WISCONSIN DEPARTMENT OF
TRANSPORTATION,

Defendant.

Civil No. 09-6441 (AET)

OPINION & ORDER

THOMPSON, U.S.D.J.

This matter having come before the court upon Plaintiffs I. Shah, A. Shah and family's Application to proceed on appeal *in forma pauperis* [docket # 70]; and it

APPEARING that the Federal Rules of Appellate Procedure require a party seeking to appeal *in forma pauperis* to file a motion in the district court attaching an affidavit that:

(1) describes in detail the party's inability to pay or to give security for fees and costs, (2) claims an entitlement to redress, and (3) states the issues that the party intends to present on appeal, Fed. R. App. P. 24(a)(1); and it

APPEARING that Plaintiffs have submitted an affidavit which describes in detail their inability to pay or to give security for fees and costs; and it

APPEARING that Plaintiffs have failed to submit an affidavit claiming an entitlement to redress or stating the issues that they intend to present on appeal; and it

APPEARING that Plaintiffs have merely stated on their affidavit of poverty: "My issues on appeal are: See Appeal Documents[;]" and it

APPEARING that Plaintiffs have filed several appeals, and that Plaintiffs' reference to their "Appeal Documents" provides insufficient information regarding the precise issues they wish to pursue on appeal;

IT IS on this 21st day of April, 2011,

ORDERED that Plaintiffs' application to appeal *in forma pauperis* [docket # 70] is DENIED without prejudice; and it is

ORDERED that Plaintiffs are granted leave to renew their application to appeal *in forma pauperis* and to submit an affidavit setting out their claims for entitlement to redress and the issues that they intend to present on appeal.

/s/ Anne E. Thompson
ANNE E. THOMPSON, U.S.D.J.